

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
v.) Case No. 1-10-CR-141
WILLIAM J. MITCHELL)) MATTICE / LEE
)

O R D E R

The Court conducted a hearing on January 21, 2011 on the *pro se* motion of Defendant WILLIAM J. MITCHELL for substitute counsel [Doc. 13] and the motion of his appointed counsel, Mike A. Little, to withdraw [Doc. 15]. Present for the hearing were:

1. AUSA Jay Woods for the USA.
2. Defendant WILLIAM J. MITCHELL.
3. Attorney Mike A. Little for Defendant.

Defendant was advised of his privilege against self-incrimination and duly sworn according to law. Attorney Little explained that he is requesting he be allowed to withdraw because there has been a breakdown in communications that prevents an adequate defense and irreconcilable differences have developed concerning the defense of the case. Defendant also stated his reasons for seeking substitute counsel. AUSA Woods stated the Government has no position as to the motion to withdraw filed by Attorney Little.

Although Defendant's complaints about Attorney Little's representation appear to be meritless, the testimony at the hearing leads the Court to conclude Defendant is unwilling or unable to communicate with Attorney Little about his defense and it appears that the public's interest in the prompt and efficient administration of justice will not be harmed in allowing substitution under the circumstances. Therefore, for good cause shown and without objection from any party, the motion to withdraw filed by Attorney Little [Doc. 15] is **GRANTED**. Defendant's pro se motion [Doc. 13] is **DENIED AS MOOT**. It is hereby **ORDERED** that Attorney Mike A. Little be relieved from further legal representation of Defendant. Federal Defender Services of Eastern Tennessee is hereby appointed as substitute counsel for Defendant.

SO ORDERED:

ENTER.

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE